IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 01.03.2006

Coram:-

The Hon'ble Mr.Justice P.SATHASIVAM
and
The Hon'ble Mr.Justice J.A.K.SAMPATH KUMAR

Habeas Corpus Petition No.198 of 2006

D.Mohan ... Petitioner

vs.

1. The Inspector of Police,
F3, Nungambakkam Police Station,
(Opposite to Independent Park),
Nungambakkam, Chennai 600 034.

2. The Inspector of Police,
R2 Kodambakkam Police,
Chennai-600 024.

3. Babu

4. Thilagam ... Respondents

Petition under Article 226 of the Constitution of India for the issuance of a writ of habeas corpus to direct the 2nd respondent police to secure detenue Mahyalakshmi @ Kamatchi from the illegal custody and confinement under one Babu and Thilagam, the 3rd and 4th respondent herein, at No.B1, Balamurugan Apartment, No.14/13, 4th Cross, United India Colony, Kodambakkam, Chennai-600 024, which falls under the respondent jurisdiction and to produce the detenue before this Court and set her at liberty.

For Petitioner : Mr.G.M.Syed Fasiuddin
For R-1 & R-2 : Mr.Abudukumar Rajarathinam,
Govt. Advocate (Crl. Side)

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O R D E R

(Order of the Court was made by P.SATHASIVAM, J.)

The petitioner by name D.Mohan filed this Petition, seeking direction to the 2nd respondent-police to secure the detenue by name Mahyalakshmi @ Kamatchi from the illegal custody and confinement of respondents-3 and 4, produce her before this Court and set her at liberty.

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2. Pursuant to the direction of this Court, the detenue appeared before us. We enquired her. According to the detenue, she is aged about 25 years. She informs that at present, she is living with her parents. She also states that after getting divorce before the appropriate court, she desires to live with the petitioner. The statement of the detenue shows that she is not in illegal detention of any one including respondents-3 and 4. The detenue, being a major, is free to take a decision of her own.

3. In the light of her statement, we are of the view that no further adjudication is required in this petition, accordingly, the same is closed.

JI.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1. The Inspector of Police,
F3, Nungambakkam Police Station,
(Opposite to Independent Park),
Nungambakkam, Chennai 600 034.

2. The Inspector of Police,
R2 Kodambakkam Police,
Chennai-600 024.

+ one cc to Mr.G.M.Syed Fasuddin, Advocate Sr.No.9655.

TEJ (CO)
RSM/17.3.2006

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